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RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 10-6-94

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY
DOCKET NO.

IN THE MATTER OF:	:	Administrative Action
	:	
MICHAEL WONG, D.D.S.	:	CONSENT ORDER
	:	
LICENSED TO PRACTICE DENTISTRY	:	
IN THE STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Dentistry (Board) upon receipt of a Report of Investigation from the Enforcement Bureau, Division of Consumer Affairs pertaining to the dental practice of Dr. Michael Wong. The Board reviewed the entire record concerning this case, including testimony obtained during investigative inquiries attended by respondent and Debora Pinter, a dental assistant employed in respondent's dental practice. The investigator revealed that for at least a two (2) year period, respondent permitted Ms. Pinter to perform certain procedures, including the performance of prophylaxis for adults and children, the application of fluoride treatments for children, taking alginate impressions for diagnostic models, fabricating and cementing temporary crowns, removing excess cement from crowns,

applying pit and fissure sealants and placing and removing retraction cords, all of which are functions reserved for licensed dental assistants and registered dental hygienists. In addition respondent allowed Ms. Pinter to place temporary crowns intraorally, and admitted that he would administer nitrous oxide to a patient, exit the room and leave Ms. Pinter alone with the patient to whom the nitrous oxide had been administered. These functions, which respondent admits permitting an unlicensed individual to perform, constitute acts reserved for licensed dentists or dental hygienists or registered dental assistants in this State.

It appearing that respondent wishes to resolve this matter without the necessity of formal proceedings, and it further appearing that the Board finds the entry of this Order is in the public interest and for good cause shown,

IT IS ON THIS 5th DAY OF October 1994

1. Respondent's license to practice dentistry in the State of New Jersey shall be and hereby is suspended for a period of one year, sixty (60) days of which shall be active suspension which shall commence on the thirtieth (30) day after the entry of this Order. The remaining period of suspension shall be stayed and shall constitute a probationary period so long as respondent complies with all of the other terms of the Consent Order as well as the provisions of the dental practice act and the Board's regulations adopted thereunder. The respondent shall derive no financial remuneration directly or indirectly related to patient

fees paid for dental services rendered during the period of active suspension by other licensees for patients of respondent's practice. Except for the purpose of receiving treatment as a bona fide dental patient, respondent shall not enter upon or be present within the premises of any dental facility during the period of active suspension or provide any consultation to other licensees rendering treatment to any dental patients or sign or submit any insurance claim form for treatment rendered during the period of active suspension. On or before the effective date of the active suspension, respondent shall tender his dentistry license, and CDS registration to the Board of Dentistry at 124 Halsey Street, Sixth Floor, Newark, New Jersey 07102 or surrender such credentials to the Board's designee.

2. Michael Wong, D.D.S. is hereby assessed a civil penalty in the amount of \$7,500 to be paid contemporaneously with the tender of this Order for entry. Said penalty shall be submitted to the Board by certified check or money order made payable to the State of New Jersey, State Board of Dentistry.

3. Michael Wong, D.D.S. shall cease and desist from permitting any unlicensed assistant to perform any acts which are not authorized and permissible pursuant to the Dental Auxiliaries Act, N.J.S.A. 45:6-48 et seq., the Dental Practice Act, N.J.S.A. 45:6-1 et seq., and the Board's regulations, N.J.A.C. 13:30-2.1 et seq. A Board of Dentistry chart which demonstrates with an "X" the duties which may be permissibly delegated to dental auxiliaries is attached hereto and is made a part of this Order by reference.

4. Respondent shall pay a the sum of \$1,832.43 as costs of the investigation and of the proceedings in this matter. Such costs shall be payable by certified check or money order to the State Board of Dentistry and shall be tendered contemporaneously with the tender of this Order for entry.

5. When respondent is reinstated to the practice of dentistry, respondent without prior notice shall afford access to his dental office and shall submit to periodic random and unannounced inspections by the Enforcement Bureau for the purpose of assuring the Board that unlicensed assistants are not performing duties requiring a license to practice dental hygiene or registered dental assisting or dentistry in accordance with the published laws and rules administered by the Board. Said inspections shall be conducted in a manner so as not to disrupt Dr. Wong's dental practice. Dr. Wong shall be responsible for the costs of such inspections. An Affidavit of Costs from the Enforcement Bureau shall be submitted to Dr. Wong subsequent to any such inspection, and Dr. Wong shall submit payment in the amount of such costs no later than fifteen (15) days subsequent to his receipt of the Affidavit of Costs.

6. Respondent is hereby reprimanded by the Board for permitting an unlicensed person to perform those acts specified by the Dental Practice Act, the Dental Auxiliaries Act and the

regulations thereunder to be performed only by licensed dental auxiliaries or a licensed dentist in this State.

NEW JERSEY STATE BOARD OF DENTISTRY

By Stephen Candio
Stephen Candio, D.D.S., President

I have read and understand
the within Order and agree to
be bound by its terms. Consent
is hereby given to the Board
to enter this Order.

Michael Wong D.D.S.
Michael Wong, D.D.S.

DELEGABLE FUNCTION		DOF	RDH	ROA	DA
1.	Polish amalgam restorations	X			
2.	Remove excess cement from crown and orthodontic bands (by hand or mechanical instrument)	X			
3.	Fabricate athletic mouth guard appliances	X	X	X	
4.	Apply pit and fissure sealants	X			
5.	Perform a complete prophylaxis including removal of all hard and soft deposits from all surfaces of human teeth to the epithelial attachments, polish natural and restored teeth, root planing, and curettage as part of the prophylaxis	X	X		
6.	Provide prophylactic and preventive measures such as the application of fluorides and other recognized topical agents for the prevention of oral disease and discomfort	X	X		
7.	Examine soft and hard tissue of the head, neck and oral cavity, note deformities, defects and abnormalities	X	X		
8.	Place and remove rubber dams	X	X	X	
9.	Place and remove matrices and wedges	X	X	X	
10.	Place temporary sedative restorations	X	X	X	
11.	Remove excess cement from crowns or other restorations and orthodontic appliances	X	X	X	
12.	Remove sutures	X	X	X	
13.	Fabricate and cement temporary crowns and bridges after preparation of tooth (teeth) by a dentist. This does not include intra oral occlusal adjustments	X	X	X	
14.	Take impressions for diagnostic models and models to be used as counters for fixed and removable prostheses	X	X	X	
15.	Place amalgam and gold foil in a tooth for condensation by the dentist	X	X	X	
16.	Place and remove retraction cords and medicated pellets	X	X	X	
17.	Perform bite registration procedures to determine occlusal relationship of diagnostic models only	X	X	X	
18.	Place and remove periodontal dressings and other surgical dressings	X	X	X	
19.	Trial size (pre select) orthodontic bands, wires, stainless steel crowns and temporary crowns intra-orally	X	X	X	
20.	Prepare teeth for bonding not to include prophylaxis	X	X	X	
21.	Remove arch wires and ligature wires	X	X	X	
22.	Make radiographic exposures as permitted by the Department of Environmental Protection	X	X	X	X
23.	Provide oral health education such as but not limited to dietary analysis and clinical instruction in order to promote dental health	X	X	X	X
24.	Apply topical anesthetic agents	X	X	X	X
25.	Take and record vital signs	X	X	X	X
26.	Retract patient's cheek, tongue or other tissue parts during a dental operation	X	X	X	X
27.	Remove such debris as is normally created in the course of treatment during and after dental procedures by vacuum devices, compressed air, mouthwashes and water	X	X	X	X
28.	Isolate the operative field, not to include rubber dam	X	X	X	X
29.	Trial size (pre select) orthodontic bands, wires, stainless steel crown, and temporary crowns on a diagnostic model	X	X	X	X
30.	Analyze saliva and prepare smears	X	X	X	X
31.	Take dental photographs	X	X	X	X
32.	Assist a licensed dentist in the administration of nitrous oxide, provided the licensed dentist is physically present at all times during the procedure	X	X	X	X